

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McAllister, et al.) 18 December 2009
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Application No.: 10/565,462)
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Filed: January 20, 2006) Group Art Unit: 1614
)
For: Pharmaceutical Formulation) Examiner: S. Tran

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

In order to simplify the number of references and reduce duplicative submissions listed in this Information Disclosure Statement, and accompanying PTO 1449 form, Applicants have prepared a summary of corresponding US Patents and/or publications to their respective WIPO Publications as shown in Table 1. It should be noted that Applicants only list a representative number of the corresponding US Patents and Publications on the PTO 1449 form and do not assert that this is a full and complete listing thereof. As US patents and publications are no longer required to be submitted, copies of these do not accompany this response.

TABLE 1

Foreign/US Patent	Corresponding US Patents	Foreign/US Patent	Corresponding US Patents
GB 2148235 BE 900950 GB 2148841	US 4,417,591 US 4,498,080 US 4,557,180 US 4,576,284 US 4,591,475 US 4,625,513 US 4,655,840 US 4,673,438 US 4,696,163 US 4,738,724 US 4,738,817 US 4,766,728 US 4,790,881 US RE3439OE	WO 03/086267	US 2003/194428 US 2003/194429 US 2003/194430 US 2003/194431 US 2005/008690
GB 1177587	US 3,508,678	EP 384642	US 6,200,600
GB 1108629	US 3,399,803	CA 2,227,272	US 6,387,401 US 2001/007664
CA 2,188,185	US 6,290,990	CA 2,311,308	US 6,528,089
WO 95/16438	US 6,153,218 US 6,613,353 US 2005/191347	CA 2,264,287	US 6,248,807 US 6,489,378 US 7,022,344 US 2003/008973 US 2005/129757
CA 2,298,659	US 6,322,816		

The publications shown in Table 1 are presented on page 1 in the accompanying PTOL 1449 form.

The Examiners attention is also drawn to Applicants related and co-pending applications cited in Table 2.

TABLE 2

PCT Application	Corresponding US Publication No. and USSN
WO 02/060384	10/060849 US 2003/0068369 10/470438 US 2004/0166153
WO 02/060385	10/470439 US 2004/0115256 10/060603 US 2006/0049311

PCT Application	Corresponding US Publication No. and USSN
WO 01/08666	US 7,163,693 US 2007/0087049 11/611,281
WO 04/010978	10/519158 US 2006/0057201
WO 05/009380	10/565462 US 2006/0177496 10/895588 US 2005/0175687
WO 05/089726	11/078077 US 2005/0249807
WO 2009/087483	12/266,896 US 2009/0148518
PCT/EP2009/ 057292	N/A
WO 2009/050189	N/A
WO 2009/050190	N/A
WO 2009/050192	N/A
WO 2009/050193	N/A
WO02/098625	US 2004/0104501 10/333,930
WO 00/052288	US 6,576,255
WO 01/043935	US 2002/160042 US 2008/260814 12/106,669

Applicants related publications on Table 2 appear on page 2 of the accompanying 1449 form.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This statement is being filed under the provisions of 37 C.F.R. §1.97(c), before the mailing date of a Final Office action or before the mailing date of a Notice of Allowance, along with authorization to charge the \$180.00 fee specified in 37 C.F.R. §1.17(p) to the Deposit Account No. 19-2570.

Please charge any additional fees under 37 C.F.R. §1.16 or §1.17 which may be required by this paper, or credit any overpayment, to the indicated Deposit Account.

Serial No.: 10/565,462
Confirmation Number: 9920

Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned at the number below. It is not believed that this paper should cause any additional fees or charges to be required, other than expressly provided for already. However, if this is not the case the Commissioner is hereby authorized to charge Deposit account 19-2570 accordingly.

Respectfully submitted,



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